

CASE STUDY # 1: An extramural scientist with significant intramural responsibilities

Dr. Jones is a senior member of the extramural staff of the National Institute of Biomedicine (NIB). Her supervisor is the Director of Extramural Activities, who signs her timecard and provides performance ratings. While her responsibilities do not include management of a scientific portfolio, she is involved in meetings in which programs and funding decisions are discussed and she has access to summary statements and grant applications. Because of her scientific expertise and also the nature of her responsibilities, she provides information in these meetings, but does not get involved in recommendations for funding. The “firewall” that was established when Dr. Jones was hired was that she would have no involvement in decisions regarding funding or general program management.

Dr. Jones also has an active intramural research program with a number of collaborations. She has a separate operating budget for this activity from the NIB intramural program and she reports secondarily to an intramural Lab Chief for this part of her job. Dr. Jones publishes widely and is now often invited to present her work at national and international meetings and at research institutions. Many of the research institutions and programs at which she is invited to speak are also supported through the extramural programs of the NIB. Because of limited travel dollars available to her through her laboratory budget, she requests approval of sponsored travel, which is reviewed by the Lab Chief.

Is the firewall that was established at the time of hiring Dr. Jones sufficient to protect her and the NIB from conflict of interest and the perception of unfair advantage by virtue of having knowledge of the research plans of her colleagues and potential competitors?

Perhaps the most important aspect of managing this potential conflict is education of Dr. Jones in the issues at the outset to insure a clear understanding of where they lie and why. A variation of the conflict of interest/confidentiality agreement used for peer reviewers might be appropriate and would document the issues and the fact that Dr. Jones is aware of them. This is a complex situation, since Dr. Jones, officially an extramural scientist administrator, is not just working in someone’s intramural laboratory, but in fact has one of her own with intramural staff (technicians, post-docs) reporting to her. She needs access to confidential information to perform her extramural responsibilities.

What about her collaborators—is there a conflict when it comes to any discussion about them, and would this be personal or institutional?

It should be made clear to Dr. Jones and others on the staff that she has no role in allocating extramural funds or making administrative decisions after award. It would also be appropriate for her to refrain from any internal discussion related to her collaborators or their work within the extramural staff context, and her supervisor should periodically review these collaborations with Dr. Jones. Under most circumstances, the conflicts would be with the individual collaborators. However there may be some circumstances in which at least a perception of conflict may extend to the collaborator’s laboratory or department, and these should be managed as appropriate with the DEA director.

What about sponsored travel? Since the differentiation between extramural and intramural staff and the practices the NIB has put in place regarding Dr. Jones are not apparent to extramural investigators, and since extramural staff cannot accept sponsored travel from an institution that is or potentially is an applicant/grantee, is Dr. Jones’s acceptance of sponsored travel appropriate?

The sponsored travel is more problematic. As Dr. Jones’s official supervisor, the DEA Director should at least initial the request to be aware of the potential for conflict of interest to be able to remind Dr. Jones of the need to limit her presentation strictly to the research from her laboratory and avoid any discussion of grants or applications. Since presentations should have supervisory approval (usually done via the travel order), this documentation would also suffice as that approval. Sponsored travel to grantee institutions should be limited, however, and preferably done with intramural funds as part of her official duties in that arena.

As a final note, different controls would be necessary if the extramural responsibilities were in program or review, in which case such extensive intramural involvement may not be permissible.